

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	: 10/692,580	Confirmation No.:	9035
Applicant	: Boris S. Jacobson, et al.		
Filed	: October 24, 2003		
T.C./A.U.	: 2836		
Examiner	: Daniel J. Cavallari		
Docket No.	: RTN-183AUS		
Customer No.	: 33164		

INTERVIEW SUMMARY

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

Applicant would like to make of record a telephone interview, which took place on August 25, 2009, between Applicants attorney (Marianne Downing), inventor Boris Jacobson, Examiner Cavallari, and Examiner's Supervisory Examiner (SPE) Dru Parries.

Attorney Downing had previously faxed an agenda (attached hereto as Exhibit A) giving the planned substance of the Interview. Some of the planned agenda was covered during the Interview, but much of the planned agenda relating to Restriction Requirements became moot when the Examiner indicated that the Restriction Requirement would become void.

During the interview, all parties generally discussed the history of the case, including the recent OA response filed at the end of May 2009 that inadvertently was filed as an RCE. The USPTO erroneously did not treat this response accompanied by an RCE as an improper RCE, and instead forwarded it to the Examiner, who inadvertently treated it as a proper RCE and then issued a Restriction Requirement. Examiner Cavallari indicated that, regarding this improper RCE, Applicants will shortly be

receiving a Notice of Improper RCE for the above-identified case, and Examiner Cavallari also stated that the Restriction Requirement dated August 11, 2009 is to become void.

During the substance of the call, Attorney Downing and Inventor Jacobson further clarified to the Examiners what was meant by the claim term "interconnect" and used FIG. 5 as an example for discussion. Inventor Jacobson and Attorney Downing also further explained claim 33 and FIG. 12 of the Application, and why this claim and this Figure are not different species than the other claims. The parties further discussed the claim language "each direct independent interconnection comprising one or more conductors" added by amendment to claim 33 in the May 2009 response. Examiner Cavallari agreed with Applicants that claim 33 is not a separate species.

Also discussed was the claim language of $k*(k-1)/2$ that defines the total number of interconnections. Attorney Downing, inventor Jacobson, and SPE Parries agreed that the language of the $k*(k-1)/2$ is inherent to the figures and supported by the specification. Whether or not this language is required in the claims, given the other limitations, also was discussed.

The Examiner is respectfully requested to telephone the undersigned attorney if it is felt that the above does not accurately characterize the substance of the telephone interview or if there are any questions concerning this application.

Respectfully submitted,

Dated: September 10, 2009

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EXHIBIT A

(Appl. No.: 10/692,580)

Agenda for Telephone Interview With Examiner Cavallari

Date: Tues August 24, 2009 at 1:00 PM

**Participants: Attorney for Applicants Marianne M. Downing, Inventor Boris Jacobson, Examiner Dan Cavallari,
Examiner Cavallari's SPE**

Cases to be discussed:

Appl. No. : 10/692,580 Applicant Boris Jacobson
Filed : Oct 24, 2003 T.C./A.U. 2836
Examiner : Dan Cavallari Docket No. RTN-183AUS

Status of Application: Restriction Requirement dated 8/11/2009 after response to non-final Office Action that was mistakenly filed as a response after final with RCE

MAIN DISCUSSION POINTS: Patentability of pending claims and whether Restriction Requirement is Proper

PATENTABILITY OF PENDING CLAIMS

The recent amendments to independent claims 1, 7, 15, and 33 were an attempt to convey with greater clarity the innovative interconnection arrangement conveyed at a high level in FIG. 2 of the application. We are trying to convey in all claims that, for power system elements like the common power source and power subsystem components, there is one and only one interconnection between them and that interconnection is direct and independent of the other interconnections. As our spec states at page 5, line 18 through page 6, line 7, such a system is not susceptible to single point failures, because of the way the subsystems are interconnected to each other and to the common power source.

The limitation in the claims defining that each direct independent interconnection "originates at the . . . respective subsystem and terminates at one other . . . of the subsystems, without coupling to any other subsystems, such that there is no more than a single direct independent electrical interconnection between any two load subsystems" is not a NEW limitation for the claims, but rather is an attempt to convey, using different and more precise language, the same thing as in previous amendments when we recited, e.g., that subsystems were "individually" or "solely" connected together using an interconnection line.

Listing the limitations of $K * [(k-1)/2]$ was a further attempt to put mathematical clarity to the notion that, in FIG. 2, what is being done is interconnecting any two elements in a set of n distinct element (where each element can be either a common power source or a subsystem) only once, with only one interconnection, and nothing else is daisy-chaining or in series with that interconnection. This is essentially the same, mathematically, as the well-known formula determining how many combinations (connected pairs of elements) there can be, from a set of n objects, taken a pair (i.e., 2) at a time.

The prior art that has thus far been made of record has yet to teach or suggest this unique arrangement. For example, the prior art reference Williams shows loads that are not directly connected to each other by an independent direct interconnection, as we claim, but rather are daisy-chained and thus are susceptible to single-point failures. Regarding the Siewart reference, as was clearly indicated in the previous office action response, **Siewert connects a given power source via a single bus, indirectly, to a plurality of loads. In sharp contrast, the system of claim 1, as amended, connects a given power source directly and independently, via a plurality of regulated power source buses, to a plurality of respective loads (i.e., each load has its own respective power source regulated bus).**

Inventor Jacobson also will convey his insight about what the invention is and why it is different than what has been done previously in the art.

RESTRICTION REQUIREMENT

The 7-Way Restriction. Req. (RR) dated 8/11/2009 appears to be improper and/or vague for at least the following reasons:

(1) It lists the species by Figure only and does not set forth any claims whatsoever that are believed to correspond to each of the seven allegedly “patentably distinct species”. MPEP sections 802, 814, and 817 specifically state that the Examiner must set forth the claims for each group/species, not the applicant. Note also, in this application, not all of the listed “species” Figures necessarily have direct corresponding claims in the application.

(2) There have been numerous previous opportunities (i.e., 5 PREVIOUS OFFICE ACTIONS, including TWO PROPER RCE’S) for search based on the claims and Figures that have been pending for past 3 years of prosecution. Why is there now a burden? Applicant fails to see how any of the species indicated by the Figures, which Figures have been unchanged since the filing of the application, could possibly present a search burden after the previous OA’s and searches.

(3) The limitations in the independent claims are similar enough to not require separate searches, and the subject matter of the claims is disclosed in the spec and figures as capable of use together and connected in design, operation and/or effect. Moreover, the RR has not provided any specific and non-generic support, as is required by MPEP 808.02, as to why the species require different field of search. The independent claims, even as recently amended, contain very similar limitations and vary only as to whether they are directed to an apparatus that is considered to be a power subsystem, a power source, or a power system. . Consider:

- Indep Claim 1: directed to common power source subsystem with particularly specified limitations relating to a regulated bus and a plurality of direct independent electrical interconnections
- Indep Claim 7: directed to a power system subsystem component with particularly specified limitations related to a subsystem regulated bus and a plurality of direct independent interconnections, each particularly specified limitation beings almost verbatim as the corresponding limitations recited in claim 1.
- Indep Claim 15: directed to a power system that includes a common power source (e.g., like claim 1), two or more power subsystem components (e.g., like claim 7) and the same “plurality of direct independent electrical interconnections” limitation of claims 1 and 7.
- Dep. Claim 17: recites that common power source of claim 15 essentially has same limitations as claim 1.
- Dep Claim 19: recites that power subsystem component of claim 15 essentially has same limitations as claim 7.
- Indep Claim 33: similar to claim 15, but further defines the interconnections

Also, most of the dependent claims are original and, if amended, have primarily been amended to address antecedent basis or other minor 112 issues

(4) Applicant cannot even provisionally elect any Species with traverse even if Applicant were to assume that a given species in the RR was a valid grouping, at least because (a) no claims are indicated with the species, and (b) the actual claims in the application most accurately correspond to a “Species” not listed in the RR, namely FIGs 2-4. For example, Claims 1-6, 15, 18, and 33 correlate well to FIGS. 2, 3, and 5. Claims 7-14, 19-32 correlate well to FIGs. 2, 4, and 5. As spec indicates, FIGs. 6-13 essentially are all illustrative embodiments showing various modes of operation of FIGs 2-5. Thus, at best, Applicants would state that claims 1-33 are at least in the species represented by FIG. 5, and thus would elect FIG. 5 as a species, but that is not really an election. .

(5) The amendments made to the claims in the recent OA response do not change the claims in a way that will require a new search. The recent amendments, like nearly all prior amendments, have been another attempt to restate/reword the same inventive concept over and over--*to more clearly phrase the claims to convey that each subsystem is independently and individually connected only once to each other subsystem and independently and individually connected only once to the common power source.* At best, in the most recent amendment, the term “interconnection” is further clarified in response to an incorrect interpretation by the Examiner. There is no new limitation requiring a new search.